

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ELISHA SHEPHERD,

Plaintiff,

vs.

MILTON J. JAKEWAY and the
UNITED STATES OF AMERICA,

Defendants.

Case No. 3:01-cv-333-JKS

**[PROPOSED] ORDER GRANTING
MOTION TO ESTABLISH THAT
THE VIDEOTAPE WAS
LEGALLY SEARCHED**

The Defendants, through counsel, filed their Motion to Establish that the Videotape was Legally Searched pursuant to the “incident to arrest” exception to the warrant requirement. Having reviewed the Motion and found that it has merit, the motion is granted. As the search at issue has now been found to be legal, there is no basis for the Plaintiff to maintain a Bivens’ claim against Milton Jakeway and the claim against him is dismissed.

Date: _____

JAMES K. SINGLETON
United States District Court Judge